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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 16th Day of June 1998

BEFORE

THE HON'BLE MR. JUSTICE CHANDRASHEKARAI AH

WRIT PETITION NO.8199/1998

Between:

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Smt. Vijaya Kantaraj,
W/o.Kantaraj H.B.,
aged 47 years,
Subhas Road, Koppa,
Koppa Taluk,
Chickmagalur Dist.

...PETITIONER

(By Sri.Mohandas, N.Hegde, Adv.)

And:

Town Panchayat,
Koppa,
Koppa Taluk,
Chickmagalur Dist.,
By Chief Officer.

...RESPONDENT

(By Sri.B.Rudregowda, Adv.)

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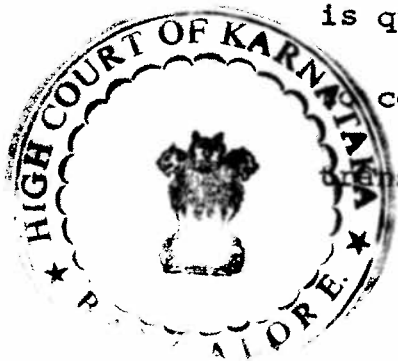
This Writ Petition is filed under Article 226 of the Constitution of India with a prayer to direct the respondent to change the katha of the premises bearing No.491/B into the name of the petitioner herein.

This Writ Petition coming on for orders this day, the Court made the following:-

O_R_D_E_R

The petitioner has filed this Writ Petition for a direction to the respondent to change the katha of the premises bearing No.491/B in ~~this~~ ^{normal} ~~Writ Petition~~. The application of the petitioner for change of katha has been rejected by the Panchayath by endorsement dated 07.02.1990. The reason assigned in the endorsement ~~as per~~ to reject the request of the petitioner is not correct. Just because there is a charge on the said property, the panchayath was not right in rejecting the request of the petitioner for transfer of katha. Therefore, the endorsement produced as Annexure 'A' is liable to be quashed.

2. In the result, I pass the following order:
Writ Petition is allowed. Endorsement issued by the Panchayath dated 07.02.1990 as per Annexure 'A' is quashed and the matter is remitted to the Panchayath consider the application of the petitioner for transfer of katha in accordance with law.



SPS/-

Sd/-
JUDGE